

### REMARKS

Reconsideration and allowance of the subject application are respectfully solicited.

Claims 1 through 12 and 15 through 19 are pending, with Claims 1, 12, 15, and 17 being independent. Claims 1 through 11 were allowed. Claims 13 and 14 have been cancelled without prejudice. Claims 12, 15, 17, and 18 have been amended.

Claims 16, 18/16, and 19/16 were objected to and indicated as being allowable if rewritten in independent form. All objections are respectfully traversed. Applicant has respectfully maintained said claims in dependent form, as Applicant earnestly believes that the claims from which they depend will be found allowable.

Claims 12, 13, and 15 were objected to for informalities. All objections are respectfully traversed, and are submitted to have been obviated by the amendment of those claims in view of the kind suggestion set forth in the Official Action so as to obviate the objection.

Claims 13, 14, 18/13, 18/14, 19/13, and 19/14 are rejected under 35 U.S.C. § 112, 1<sup>st</sup> paragraph, on the grounds that there is no support for the expression "wherein an amount of motion of said image-stabilizing means is constant regardless of variation of magnification". All objections are respectfully traversed, and are submitted to have been mooted by the cancellation of these claims without prejudice.

Claims 12, 13, 14, 18/12, 18/13, 19/12, and 19/13 were rejected under 35 U.S.C. § 102(e) over U.S. Patent No. 6,025,962 (Suzuki). All rejections are respectfully traversed.

Claim 12 recites, inter alia, that the second lens unit is of positive refractive power.

However, Applicant respectfully submits that Suzuki fails to disclose or suggest at least the above-discussed claimed feature as recited, inter alia, in Claim 12. Instead, Applicant respectfully understands that G2 in Fig. 16 of Suzuki is negative.

Claims 15, 17, 18/15, 18/17, 19/15, and 19/17 were rejected under 35 U.S.C. § 102(e) over U.S. Patent No. 5,966,246 (Yoshikawa). All rejections are respectfully traversed.

Claims 15 and 17 recite, inter alia, an image-stabilizing means with a component of motion in a direction perpendicular to an optical axis of the zoom lens.

However, Applicant respectfully submits that Yoshikawa fails to disclose or suggest at least the above-discussed claimed feature as recited, inter alia, in Claims 15 and 17.

Claims 17, 18/17, and 19/17 were rejected under 35 U.S.C. § 102(e) over U.S. Patent No. 6,104,432 (Nakamura, et al.). The Official Action states that G2-G4 in Nakamura, et al. constitutes an extender optical system. All rejections are respectfully traversed.

Claim 17 recites, inter alia, that a lens element of the zoom lens that is arranged to move during variation of magnification is disposed on the object side of the image-stabilizing means.

However, Applicant respectfully submits that Nakamura, et al. fails to disclose or suggest at least the above-discussed claimed feature as recited, inter alia, in Claim 17.

Claim 12 was rejected under 35 U.S.C. § 102(e) over U.S. Patent No. 6,225,614 B1 (Ono). The Official Action cites to col. 12, lines 16-17 of Ono which states that “the detailed lens configuration of the zoom optical system 84 is omitted from the figures”. All rejections are respectfully traversed.

Claim 12 recites, inter alia, that the second lens unit includes a stationary lens element on the image side of the image-stabilizing means.

However, Applicant respectfully submits that Ono fails to disclose or suggest at least the above-discussed claimed feature as recited, inter alia, in Claim 12.

Claims 15, 17, 18/15, 18/17, 19/15, and 19/17 were variously rejected under the judicially created doctrine of obviousness-type double patenting over Claims 1 and 14 of U.S. Patent No. 6,560,016 B2 (Usui, et al.). All rejections are respectfully traversed.

Applicant respectfully submits that a two-way obviousness test should be applied under MPEP 804 since (a) Usui, et al. was filed on March 29, 2001, which is after the filing date of the subject application; (b) Applicant could not have filed Claims 1 and 14 of Usui, et al. in the subject application because they recite a +/-/+ construction; and (c) there was administrative delay on the part of the U.S. Patent and Trademark Office inasmuch as almost two years elapsed in the subject application before a first Official Action on the merits was issued, whereas Usui, et al. issued about two years after its filing date, and that under such a test, Claims 1 and 14 of Usui, et al. are non-obvious over the subject application claims because the former claims require a +/-/+ construction which is neither disclosed nor suggested by the latter claims.

Even if a two-way obviousness test is not applied, then Applicant respectfully submits that Claims 1 and 14 of Usui, et al. do not disclose or suggest the claimed plurality of lenses in one lens unit recited in Claim 15 (contrary to the assertion in the Official Action, the second and third lens units of the claims of Usui, et al. are not recited as having a constant separation and therefore do not constitute a disclosure of a plurality of lens in one lens unit).

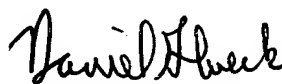
In addition, it is respectfully submitted that there has been no showing of any indication of motivation in the cited documents or claims that would lead one having ordinary skill in the art to arrive at the above-discussed claimed features in Claims 12, 15, and 17.

The dependent claims are also submitted to be patentable because they set forth additional aspects of the present invention and are dependent from independent claims discussed above. Therefore, separate and individual consideration of each dependent claim is respectfully requested.

Applicant submits that this application is in condition for allowance, and a Notice of Allowance is respectfully requested.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our address given below.

Respectfully submitted,

A handwritten signature in cursive script, reading "Daniel S. Glueck".

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Attorney for Applicant

Daniel S. Glueck

Registration No. 37,838

FITZPATRICK, CELLA, HARPER & SCINTO  
30 Rockefeller Plaza  
New York, New York 10112-3800  
Facsimile: (212) 218-2200  
DSG/dc

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